UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/943,404	08/30/2001	Douglas L. Sorensen	884.438US1	8246

7590 12/19/2006			EXAMINER	
Eric S. Hyman, Esq.			TRAN, MYLINH T	
BLAKELY, SOKOLOFF, TAYLOR & ZAFMAN LLP				
12400 Wilshire Boulevard, Seventh Floor			ART UNIT	PAPER NUMBER
Los Angeles, CA 90025			2179	

SHORTENED STATUTORY PERIOD OF RESPONSE	MAIL DATE	DELIVERY MODE
3 MONTHS	12/19/2006	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.

PTOL-90A (Rev. 10/06)

	Application No.	Applicant(s)
Office Action Summary	09/943,404	DOUGLAS SORENSA
	Examiner	Art Unit	
	Mylinh Tran	2179	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE <u>3</u> MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on <u>09/22/06</u>.

2a)☒ This action is **FINAL**.   2b)☐ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-19, 21 and 22* is/are pending in the application.

   4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-19, 21 and 22* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

   Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

   Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

   a)☐ All   b)☐ Some * c)☐ None of:

   1.☐ Certified copies of the priority documents have been received.

   2.☐ Certified copies of the priority documents have been received in Application No. _____.

   3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

   * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1)☒ Notice of References Cited (PTO-892)
2)☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3)☐ Information Disclosure Statement(s) (PTO/SB/08)
   Paper No(s)/Mail Date _____.

4)☐ Interview Summary (PTO-413)
   Paper No(s)/Mail Date. _____.
5)☐ Notice of Informal Patent Application
6)☐ Other: _____.

DETAILED ACTION

Applicant's amendment filed 09/22/06 has been entered and carefully

considered. Claims 1, 8, 11 and 19 have been amended. However, the

limitations of the amended claims have not been found to be patentable over

newly found prior art, therefore claim 1-9, 21 and 22 are rejected under the new

ground of rejection as set forth below.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for

all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

Claims 1-13, 16, 19 and 21-22 are rejected under 35 U.S.C. 103(a) as

being unpatentable over Cheng et al. [US.2003/0037055].

As per claims 1, 11, 19 and 21, Cheng et al. teach a computer implemented

method and corresponding system for explaining search logic and results,

comprising the steps/means: presenting a presentation model capable of

explaining how a system model relates a plurality of search input elements to a

comparison element (figure 5, page 5, 0067-0069), the presentation model

comprising at least one of a method for the computer system to conceptualize

the search logic and a method for the computer system to conceptualize the

search logic and a method for a user to conceptualize the search logic (page 4,

0056-0058), wherein the system model comprising a collection of data and

control concepts capable of being used to determine a first search result; presenting how the system model is related to the comparison element; and presenting a relative importance of the system model in comparison with the comparison element (page 6, 0081-0084).

Cheng et al. do not disclose the comparison element is selected from a list of potential comparison elements. Banning teaches comparison element is selected from a list of potential comparison elements at col. 29, lines 10-25. It would have been obvious to one of ordinary skill in the art at the time of the invention to use the teaching from Banning of selecting comparison element from a list of potential comparison elements in Cheng's system since it would have made it easier and faster to create comparison element.

As per claim 2, Cheng et al. teach presenting how parts of the system model being related to parts of the comparison element (page 2, 0022). It would have been obvious to one of ordinary skill in the art at the time of the invention to use the teaching from Banning of selecting comparison element from a list of potential comparison elements in Cheng's system since it would have made it easier and faster to create comparison element. It would have been obvious to one of ordinary skill in the art at the time of the invention to use the teaching from Banning of selecting comparison element from a list of potential comparison elements in Cheng's system since it would have made it easier and faster to create comparison element.

As per claim 3, Cheng et al. teach presenting a relative importance of the parts of the system model in comparison with parts of the comparison element (page 7, 0098). It would have been obvious to one of ordinary skill in the art at the time of the invention to use the teaching from Banning of selecting comparison element from a list of potential comparison elements in Cheng's system since it would have made it easier and faster to create comparison element. It would have been obvious to one of ordinary skill in the art at the time of the invention to use the teaching from Banning of selecting comparison element from a list of potential comparison elements in Cheng's system since it would have made it easier and faster to create comparison element.

As per claim 4, Cheng teaches presenting how parts of each of the plurality of search input elements are related to parts of the system model (page 7, 0095). It would have been obvious to one of ordinary skill in the art at the time of the invention to use the teaching from Banning of selecting comparison element from a list of potential comparison elements in Cheng's system since it would have made it easier and faster to create comparison element.

As per claim 5, Cheng teaches presenting a relative importance of the parts of the plurality of search input elements in comparison with the parts of the system

model (page 4, 0058). It would have been obvious to one of ordinary skill in the art at the time of the invention to use the teaching from Banning of selecting comparison element from a list of potential comparison elements in Cheng's system since it would have made it easier and faster to create comparison element.

As per claim 6, Cheng et al. teach saving the system model (page 8, 0109). It would have been obvious to one of ordinary skill in the art at the time of the invention to use the teaching from Banning of selecting comparison element from a list of potential comparison elements in Cheng's system since it would have made it easier and faster to create comparison element.

As per claims 7, 13, and 22, Cheng et al. teach: receiving a modification to the plurality of search input elements to create a new plurality of search input elements (page 4, 0051); determining at least a second search result (page 4, 0052); updating the system model to create a new system model incorporating the modification (100 of fig. 3D); presenting how the new system model is related to the comparison element (page 2, 0022); and presenting a new relative importance of the new system model in comparison with the comparison element (page 2, 0022).

As per claim 8, Cheng et al. teach a machine for explaining search logic and results, comprising: a processor (page 2, 0022); a storage device coupled to the

processor (page 3, 0048); a search component storable on the storage device and executable on the processor to accept at least one search input element (page 4, 0051) and determine a first search result using a system model (page 8, 0110); and a presentation component storable on the storage device and executable on the processor to create a presentation of a presentation model relating the system model to one of the first search result (page 8, 0110). Cheng does not disclose the comparison element is selected from a list of potential comparison elements. Banning teaches comparison element is selected from a list of potential comparison elements at col. 29, lines 10-25. It would have been obvious to one of ordinary skill in the art at the time of the invention to use the teaching from Banning of selecting comparison element from a list of potential comparison elements in Cheng system since it would have made it easier and faster to create comparison element.

As per claim 9, Cheng teaches: the processor is a server and further wherein the processor is capable of receiving the at least one search input element from a client (page 3, 0048). It would have been obvious to one of ordinary skill in the art at the time of the invention to use the teaching from Banning of selecting comparison element from a list of potential comparison elements in Cheng system since it would have made it easier and faster to create comparison element.

As per claim 10, Cheng discloses the processor is capable of communicating in a wireless Internet environment (page 1, 0002-0004). It would have been obvious to one of ordinary skill in the art at the time of the invention to use the teaching from Banning of selecting comparison element from a list of potential comparison elements in Cheng system since it would have made it easier and faster to create comparison element.

As per claim 12, Cheng teaches: presenting a contribution of parts of the comparison element to parts of the system model (page 2, 0022) and presenting a relative importance of parts of the system model in comparison with parts of the comparison element (page 2, 0022). It would have been obvious to one of ordinary skill in the art at the time of the invention to use the teaching from Banning of selecting comparison element from a list of potential comparison elements in Cheng system since it would have made it easier and faster to create comparison element.

As per claim 16, Cheng teaches the application is a database application (page 8, 0109). It would have been obvious to one of ordinary skill in the art at the time of the invention to use the teaching from Banning of selecting comparison element from a list of potential comparison elements in Cheng system since it would have made it easier and faster to create comparison element.

Claims 14, 15, 17, and 18 are rejected under 35 U.S.C. 103(a) as being

unpatentable over Cheng in view of Banning and further in view of applicant's

admitted prior art.

As per claims 14, 15, 17, and 18, Cheng does not disclose his explaining

search queries are applied to electronic mail, Internet search engine,

e-commerce, and document management. These features are taught by

applicant's admitted prior art. It would have been obvious to an artisan at the

time of the invention to modify Cheng's explaining search queries to implement

in electronic mail, Internet search engine, e-commerce, and document

management systems since it would have presented an overview of search

presentation to users.

Response to Arguments

Applicant's arguments with respect to claims 1-19 and 21-22 have been

considered but are moot in view of the new ground of rejection.

Applicant's amendment necessitated the new ground(s) of rejection

presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL.**

See MPEP § 706.07(a). Applicant is reminded of the extension of time policy

as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire

THREE MONTHS from the mailing date of this action. In the event a first reply

is filed within TWO MONTHS of the mailing date of this final action and the

advisory action is not mailed until after the end of the THREE-MONTH

shortened statutory period, then the shortened statutory period will expire on

the date the advisory action is mailed, and any extension fee pursuant to 37

CFR 1.136(a) will be calculated from the mailing date of the advisory action. In

no event, however, will the statutory period for reply expire later than SIX

MONTHS from the date of this final action.

Conclusion

Any inquiry concerning this communication or earlier communications

from the examiner should be directed to Mylinh Tran. The examiner can

normally be reached on Mon - Thu from 7:00AM to 3:00PM at 571-272-4141.

If attempts to reach the examiner by telephone are unsuccessful, the

examiner's supervisor, Weilun Lo, can be reached at 571-272-4847.

The fax phone numbers for the organization where this application or

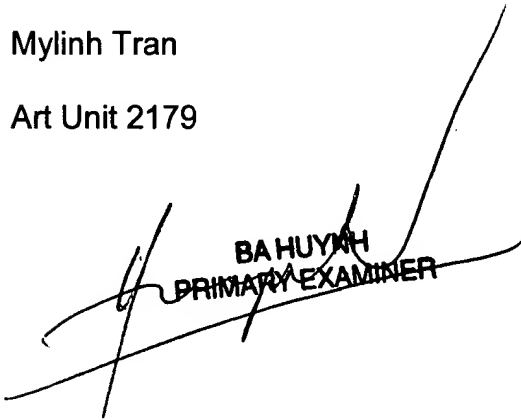proceeding is assigned are as follows:

571-273-8300

Information regarding the status of an application may be obtained from

the Patent Application Information Retrieval (PAIR) system. Status information

for published applications may be obtained from either Private PAIR or Public

PAIR. Status information for unpublished applications is available through

Private PAIR only. For more information about the PAIR system, see

http://pair-direct.uspto.gov. Should you have questions on access to the Private

PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197

(toll-free).

Mylinh Tran

Art Unit 2179

BA HUYNH
PRIMARY EXAMINER